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COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

SUMMARY RECORD OF THE 208th MEETING

Held at Headquarters, New York,
on Friday, 23 September 1994, at 3 p.m.

Chairman: Mr. Cisse (Senegal)

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The meeting was called to order at 3.30 p.m.

ADOPTION OF THE AGENDA

1. The agenda was adopted.

REPORT BY THE CHAIRMAN ON THE COMBINED UNITED NATIONS INTERNATIONAL NGO MEETING AND EUROPEAN NGO SYMPOSIUM ON THE QUESTION OF PALESTINE

2. The CHAIRMAN said that, for the first time the meeting of international non-governmental organizations (NGOs) and European NGOs had been combined. Accordingly, the United Nations International NGO Meeting and the European NGO Symposium on the Question of Palestine had been held at Geneva from 29 August to 1 September 1994. He had been head of the Committee's delegation, which had also included Mr. Farhadi, Permanent Representative of Afghanistan to the United Nations and Vice-Chairman of the Committee, Mr. Cassar, Permanent Representative of Malta to the United Nations and Rapporteur of the Committee, and Mr. Al-Kidwa, Permanent Observer for Palestine to the United Nations.

3. The theme of the Meeting had been "Building on the Declaration of Principles towards the Independent Palestinian State". Participants had included representatives of 100 non-governmental organizations (including 83 accredited with the Committee) and 15 observers, 30 Governments, 8 United Nations agencies and bodies, 4 intergovernmental organizations, 5 NGO coordinating committees, a Palestinian delegation and 27 experts and workshop leaders. He had addressed the opening session of the Meeting on behalf of the Committee. In addition, the Assistant Secretary-General for Human Rights had read out a message on behalf of the Secretary-General of the United Nations and the Senior Political Adviser on International Organizations to the Chairman of the Palestine Liberation Organization (PLO) had read out a statement on behalf of Yasser Arafat, Chairman of the PLO Executive Committee. Statements had also been made by the Chairman of the European Coordinating Committee for NGOs on the Question of Palestine and by the Chairman of the International Coordinating Committee for NGOS on the Question of Palestine.

4. The Meeting had featured six round tables, three workshops and a number of audiovisual presentations. Panels had focused on inter alia, "Implementation of the Declaration of Principles", "Elements of the Final Settlement", "Jerusalem, Refugees and Settlements", "Role of the Israeli Peace Forces in Support of the Palestinian People", "Arab Societies in the Middle East and the Declaration of Principles", and "The Role of NGOs in the Social and Economic Development of Palestine". The presentations had been followed by lively, frank exchanges on the outlook for the peace process, the challenges to be faced, evolving political positions and opportunities for future action by the international NGO community. The Committee's delegation had stressed the continued importance of NGO solidarity and the need to involve new groups which were active in development and humanitarian issues.

5. The Meeting had adopted a communiqué, copies of which had been distributed to Committee members. The communiqué noted that the Declaration of Principles on Interim Self-Government Arrangements had opened a new chapter in Middle East relations and constituted the first step towards a just and lasting peace. It

(The Chairman)

reaffirmed support for the right of the Palestinian people to self-determination and the establishment of an independent Palestinian State, in accordance with all relevant United Nations resolutions. It stated that the United Nations should continue to seek a negotiated settlement of the question of Palestine and was the most appropriate body for guaranteeing a just, comprehensive and lasting peace in the Middle East. It also invited Israel, the occupying Power, to respect the Geneva Conventions, until such time as the Palestinian people achieved sovereignty. It expressed concern at the continued Israeli incarceration of political prisoners and other Palestinians and called on Israel to release them unconditionally, in accordance with the Agreement on the Gaza Strip and the Jericho Area, signed at Cairo on 4 May 1994. Referring to a number of regional meetings organized in the occupied territories by the Geneva Conference Working Group in preparation for the Geneva meeting, the communiqué indicated that such efforts would continue. It also stated that while the role traditionally played by NGOs under occupation would continue, they would also seek ways to increase the involvement of NGOs, particularly those concerned with economic and social development and humanitarian service. The NGOs looked forward to cooperating with the Palestinian authorities. Lastly, the communiqué expressed appreciation to the Committee and to the Division for Palestinian Rights and requested assistance to NGOs in obtaining access to other United Nations bodies and the specialized agencies and in identifying United Nations programmes and resources that could help them to achieve their objectives.

6. The Committee delegation had also held consultations with representatives of the NGO coordinating committees with a view to streamlining NGO activities sponsored by the Committee in order to make them more cost-effective and focused. A number of approaches to NGO cooperation with the Committee and the Division for Palestinian Rights had also been discussed. In particular, it was agreed that a task force for cooperation with the Committee and the Division would be appointed from within the International Coordinating Committee for NGOs on the Question of Palestine in order to facilitate the substantive preparation of future international NGO meetings. The task force would be composed of seven to nine members.

7. If there were no comments, he would take it that the Committee wished to take note of the communiqué adopted by the combined International NGO Meeting and European NGO Symposium.

8. It was so decided.

REVIEW OF RECENT DEVELOPMENTS RELATING TO THE QUESTION OF PALESTINE AND CONSULTATIONS REGARDING THE FORTY-NINTH SESSION OF THE GENERAL ASSEMBLY

9. The CHAIRMAN said that the meeting was taking place shortly after the first anniversary of the historic Declaration of Principles on Interim Self-Government Arrangements, signed at Washington, D.C., on 13 September 1993. He wished to express the Committee's appreciation for the positive efforts made by the parties since that time to proceed with the practical implementation of the Declaration. Since the last meeting of the Committee, held at the end of July, a further agreement had been reached between Israel and the PLO regarding the West Bank, granting power and responsibilities to the Palestinian Authority and its Civil Administration in a number of functional areas, including education

(The Chairman)

and culture, health, social welfare, tourism and taxation. The parties had also undertaken to explore the possibility of extending the transfer of power and responsibilities to other spheres. That was indeed another significant step towards the achievement of Palestinian sovereignty and it was to be hoped that it would soon be followed by the further withdrawal of Israeli troops.

10. The serious problems faced by the Palestinian Authority in developing the Palestinian economy, an essential foundation of peace, and the urgent need to mobilize international assistance to that end, continued to be matters of grave concern. In that connection, the Committee had welcomed the Oslo Declaration adopted at the meeting between Chairman Arafat and the Ministers for Foreign Affairs of Israel and Norway on 13 September. It was the Committee's understanding that an informal emergency meeting would be convened at the earliest possible date, which would be guided by a number of principles and needs agreed on in Oslo. He expressed the hope that the ongoing efforts to generate the needed assistance would be productive.

11. He wished to reaffirm the Committee's readiness to contribute to international endeavours for the successful outcome of the peace process and in support of the Palestinian people until such time as a comprehensive, just and lasting settlement was achieved.

12. Mr. AL-KIDWA (Observer for Palestine) welcomed the positive results of the forty-eighth session of the General Assembly, which had proved the correctness of a balanced and reasonable approach. It would be important to build on the outcome of the forty-eighth session, while maintaining that same approach. The General Assembly should support the Middle East peace process and the implementation of the agreements reached in that context. Further changes in General Assembly resolutions, which were both desirable and necessary, must continue to correspond to the realities of the situation. They must also be implemented by both sides, not just one, and they must not undermine positions of principle embodied in international law.

13. Important positive developments in the peace process must continue to be welcomed and supported and a new atmosphere at the United Nations should continue to be created. While General Assembly resolutions should reflect those developments, they represented but the first step in the transitional period and negotiation of final-status issues would not begin until the second stage. In the meantime, Israel remained an occupying Power and many violations and oppressive measures against the Palestinian people continued. What was more, the Palestinian people in almost all of the West Bank, including Jerusalem, remained under occupation and were denied their inalienable rights. The international community could not afford to see only a one side of the situation.

14. During the forty-eighth session of the General Assembly, the Palestinian and Arab side had initiated many positive changes. There was a need for positive change on the other side, basically the United States of America and Israel. For example, in the light of the mutual recognition between the Government of Israel and the PLO and the agreements which had been reached, it was high time for those who had not yet done so to recognize the right of the Palestinian people to self-determination as a matter of principle in a current

(Mr. Al-Kidwa, Observer for Palestine)

United Nations resolution. That right could be exercised as part of the current peace process and its recognition would not prevent any party from advancing its own position concerning the outcome of the peace process. There was also a need for Israel to recognize the de jure applicability of the fourth Geneva Convention, which would do much to build confidence. Action must also be taken on the General Assembly resolutions concerning the status and rights of the Permanent Observer Mission of Palestine to the United Nations. Failure to implement those resolutions was, in part, the result of pressure from certain influential Member States.

15. The other side must accept the principle that the United Nations remained responsible for the question of Palestine until it was effectively resolved. The Organization's legal, political and moral responsibility had begun with the partition of mandated Palestine by the General Assembly and had continued with every resolution it adopted. Accordingly, mechanisms established by the General Assembly in keeping with that responsibility, including committees should be accepted in principle and maintained until their mandate was fulfilled.

16. He wished to stress the importance of the full involvement of the United Nations in the peace process. Despite welcome progress made in that regard, there was a need for broader acceptance of the United Nations so that it could play its natural role in the historic search for peace in the Middle East.

17. In keeping with its responsibility to uphold the Charter of the United Nations, international law, international humanitarian law and the validity of Security Council resolutions, the General Assembly must uphold its position concerning the inalienable rights of the Palestinian people, especially the right to self-determination. It should also maintain its positions on final-status issues. In that connection, Israel had already created illegal, de facto situations, such as illegal settlements, which were no less illegal with the beginning of negotiations. Nor had Israel, the occupying Power, renounced its positions on final-status issues, such as the issue of Jerusalem, pending the results of the negotiations. Israel acted on the basis of those positions and it even continued to aggravate the illegality of the situation. Thus, the call by Israel or any other party for the Palestinian side and/or the international community to renounce their positions was inappropriate and should not be accepted. In conclusion, he hoped that the forty-ninth session of the General Assembly would see the adoption of more effective resolutions which enjoyed a broader consensus but which also remained true to the principles he had outlined.

The meeting rose at 4.10 p.m.